

C A D W A L A D E R

# MEMO ENDORSED

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By ECF

January 30, 2018

Hon. William H. Pauley III, United States District Judge  
Daniel Patrick Moynihan Courthouse, 500 Pearl Street  
New York, New York 10007

Re: Zohar CDO 2003-1 v. Patriarch Partners, LLC, No. 17-cv-00307 (WHP)

Dear Judge Pauley:

I write as counsel for third-party defendants MBIA Insurance Corp. ("MBIA Corp.") and MBIA Inc. ("Inc." and together with MBIA Corp., "MBIA").

The Court originally scheduled a conference in the above-referenced action for February 8, 2018 to address certain jurisdictional issues as well as issues raised in the Zohar Funds' and Third Party Defendants' anticipated motions to dismiss the complaint filed by Defendants-Third Party Plaintiffs Lynn Tilton and her affiliated entities ("Plaintiffs"). MBIA consented to Plaintiffs' request to reschedule the conference, and the Court granted this request and rescheduled the conference for February 21, 2018.

Unfortunately, the rescheduled conference date falls during the week of the Presidents' Day holiday, and I will be out of the country. Therefore, I respectfully request that the Court reschedule the conference to the following week. We fully appreciate the Court's need to hold the conference in the near term, but request the Court's indulgence for a further rescheduling as I am MBIA's lead counsel and the only partner handling the litigation. I have conferred with counsel for all parties and all are available the following week on February 27 or 28, 2018.

This is the first request for an adjournment made on behalf of MBIA, and the second request made by the parties in connection with this conference. I appreciate the Court's consideration of this request.

Respectfully submitted,

  
Jonathan M. Hoff

cc: Counsel of Record

Application granted. The pre-motion conference  
is adjourned to February 28, 2018 at 1:00 p.m.

SO ORDERED:

  
WILLIAM H. PAULEY III  
U.S.D.J.